

"We are always classified as dull and boring. We hit a lot of singles (return rates)," Rose explained. "If we hit a double, we're euphoric."

This is a man who unabashedly loves his work. "They pay me to do this, which is fun."

That appreciation for the good things in life has been made sweeter by Rose's recent struggles to maintain his health. While many of those with diabetes suffer eye, heart or kidney problems, Rose—diagnosed 15 years ago—has been hit hard by all three.

Now 61, he is dependent on daily shots of insulin, has no vision in his left eye, underwent quadruple bypass heart surgery this year and endures three hours of dialysis—losing 7 pounds of fluid each time—three times a week while he awaits a kidney transplant.

Dialysis is an arduous process in which Rose's blood is removed from his body via a needle in an artery, then "dewatered" and cleaned of toxins—work normally done by healthy kidneys. The blood is returned through another needle inserted in a vein. Rose's arm shows a long line of scars from the process.

"I have nails in my workshop that are smaller than those needles," he says.

But Rose, who calls himself "basically an optimist," hasn't taken to his sickbed. He's been known to dress up in costumes for the amusement of others during dialysis and has added to an already jampacked personal schedule.

In addition to owning several local businesses, running his investment firm and serving as finance director for Gov. Tony Knowles' current campaign, Rose has added the American Diabetes Association to the already lengthy list of charitable organizations to which he volunteers time and his prodigious fund-raising energy.

Crediting a "good Rolodex" for his success, Rose has led a small group of local bicyclists to national championships in the Tour De Cure, a fund-raising event for the American Diabetes Association. For three years in a row, until this year, "Rose's Riders" raised more money than any other team in the United States—more than \$80,000 in four years.

Because of those efforts, the Alaska office of the association has created the Golden Rose Award. In a ceremony Saturday, Rose will be its first recipient.

"We wish to honor Dave for his generosity, as well as his commitment . . . to improve the lives of people with diabetes and to find a cure," district manager Connie Weel wrote in a press release.

Meanwhile, Rose looks for the best in his situation. With just one arm to use during dialysis, he can't manage both a book and the now-necessary magnifying glass, so he listens to books on tape—especially his favorite "trashy mysteries."

He even gets a kick out of a conversation with his doctor about whether he should get a Seeing Eye dog.

"He said to get a Lab. If I do, because in Alaska, if you're blind you can get a free hunting license."

Rose urges Alaskans to get a test to show if they're among the millions of Americans with undiagnosed diabetes—"You can deal with it if you catch it early enough"—and emphasizes the importance of becoming an organ donor.

Most important to him seems to be not letting diabetes limit his life. He and his wife, Fran—they married in 1959 and she's now "my eyes and driver"—dote on their Maine Coon Kitten, two grown sons and gardens.

"I'm trying to live a normal life and fit everything in," Rose says.

THE VERY BAD DEBT BOXSCORE

Mr. HELMS. Mr. President, at the close of business yesterday, Thursday, October 1, 1998, the federal debt stood at \$5,540,570,493,226.32 (Five trillion, five hundred forty billion, five hundred seventy million, four hundred ninety-three thousand, two hundred twenty-six dollars and thirty-two cents).

One year ago, October 1, 1997, the federal debt stood at \$5,420,506,000,000 (Five trillion, four hundred twenty billion, five hundred six million).

Five years ago, October 1, 1993, the federal debt stood at \$4,406,340,000,000 (Four trillion, four hundred six billion, three hundred forty million).

Twenty-five years ago, October 1, 1973, the federal debt stood at \$460,589,000,000 (Four hundred sixty billion, five hundred eighty-nine million) which reflects a debt increase of more than \$5 trillion—\$5,079,981,493,226.32 (Five trillion, seventy-nine billion, nine hundred eighty-one million, four hundred ninety-three thousand, two hundred twenty-six dollars and thirty-two cents) during the past 25 years.

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Mr. Williams, one of his secretaries.

EXECUTIVE MESSAGES REFERRED

As in executive session the Presiding Officer laid before the Senate messages from the President of the United States submitting two withdrawals and sundry nominations which were referred to the appropriate committees.

(The nominations received today are printed at the end of the Senate proceedings.)

MESSAGES FROM THE HOUSE

ENROLLED BILL SIGNED

At 3:07 p.m., a message from the House of Representatives, delivered by Mr. Hanrahan, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 3616. An act to authorize appropriations for fiscal year 1999 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe personnel strength for fiscal year for the Armed Forces, and for other purposes.

The enrolled bill was signed subsequently by the President pro tempore (Mr. THURMOND).

MEASURE READ THE FIRST TIME

The following bill was read the first time:

An act to amend the Fair Labor Standards Act of 1938 to permit certain youth to perform certain work with wood products.

REPORTS OF COMMITTEES

The following reports of committee were submitted:

By Mr. STEVENS, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 1999" (Rept. No. 105-365).

Mr. CHAFEE, from the Committee on Environment and Public Works, with an amendment:

H.R. 2863: A bill to amend the Migratory Bird Treaty Act to clarify restrictions under that Act on baiting, to facilitate acquisition of migratory bird habitat, and for other purposes (Rept. No. 105-366).

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second time by unanimous consent, and referred as indicated:

By Mr. JEFFORDS (for himself and Mr. LEAHY):

S. 2548. A bill to redesignate the Marsh-Billings National Historical Park in the State of Vermont as the "Marsh-Billings-Rockefeller National Historical Park"; to the Committee on Energy and Natural Resources.

By Mr. D'AMATO:

S. 2549. A bill to provide that no Federal income tax shall be imposed on amounts received by Holocaust victims; to the Committee on Finance.

By Mr. INOUE (for himself and Mr. AKAKA):

S. 2550. A bill for the relief of the State of Hawaii; to the Committee on Finance.

By Mr. D'AMATO:

S. 2551. A bill to amend title XVIII of the Social Security Act to permit the replacement of health insurance policies for certain disabled medicare beneficiaries notwithstanding that the replacement policies may duplicate medicare benefits; to the Committee on Finance.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

The following concurrent resolutions and Senate resolutions were read, and referred (or acted upon), as indicated:

By Mr. LUGAR:

S. Res. 285. A resolution expressing the sense of the Senate that all necessary steps should be taken to ensure the elections to be held in Gabon in December of 1998 are free and fair; to the Committee on Foreign Relations.

By Mr. MACK:

S. Res. 286. A resolution expressing the Sense of the Senate that Mark McGwire and Sammy Sosa should be commended for their accomplishments; considered and agreed to.

By Mr. LOTT (for himself and Mr. DASCHLE):

S. Res. 287. A resolution to authorize representation by Senate Legal Counsel; considered and agreed to.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. D'AMATO:

S. 2549. A bill to provide that no Federal income tax shall be imposed on amounts received by Holocaust victims; to the Committee on Finance.

HOLOCAUST ASSETS TAX EXCLUSION ACT OF 1998

• Mr. D'AMATO. Mr. President, today I introduce the "Holocaust Assets Tax Exclusion Act of 1998." This act will make all income received by Holocaust

survivors or their heirs from any settlement or adjudication in their favor, non-taxable. This legislation is now very much needed because survivors of the Holocaust who had assets withheld from them by Swiss banks or others have finally received justice in the form of a settlement between the banks and the survivors' attorneys in August 1998. The settlement was for \$1.25 billion for survivors worldwide. We must remember, one-third of all Holocaust survivors live in the United States. This is why this legislation is so needed.

In addition to these recipients, survivors who are needy, will be receiving one-time payments from the Swiss Humanitarian Fund established by the Swiss government in 1997. In both cases, payments from the Swiss banks and other sources like this should be excluded from taxation because they are receiving back what was rightfully theirs to begin with. The sum total of payments coming to the needy Holocaust survivors in the United States from this fund will be \$31.4 million. It would be a travesty if the IRS were to decide that these funds would be taxable.

Mr. President, it is necessary to understand that the survivors who sued the banks and settled in August 1998 did so because this was the only avenue left open to them to seek justice. Deprived of their assets, or those of their families for over 50 years, survivors fought unsuccessfully until now to receive what rightfully belonged to them.

With the average age of Holocaust survivors at 80, there is little time for debate over these payments which will ease life for the survivors in their final years. To tax them for the long overdue receipt of assets would be wrong. This is why I am offering this legislation. The survivors of man's greatest inhumanity to man deserve justice. After escaping death at the hands of the Nazis, they were again victimized by the Swiss bankers. Now that they have received some measure of justice, let us not take their assets from them again.

Mr. President, I urge my colleagues to support me in this legislation and urge its speedy passage.

Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

There being no objection, the bill was ordered to be printed in the RECORD, as follows:

S. 2549

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. NO TAX ON AMOUNTS RECEIVED BY HOLOCAUST VICTIMS.

(a) IN GENERAL.—For purposes of the Internal Revenue Code of 1986, gross income shall not include any amount received by an individual from any person as a result of a settlement or adjudication in the individual's favor arising out of any moral or legal injustice experienced by the individual as a Holocaust victim, including any amount received from the Swiss Humanitarian Fund established by the Government of Switzerland.

(b) EFFECTIVE DATE.—This section shall apply to amounts received in taxable years

beginning before, on, or after the date of the enactment of this Act. •

By Mr. D'AMATO:

S. 2551. A bill to amend title XVIII of the Social Security Act to permit the replacement of health insurance policies for certain disabled medicare beneficiaries notwithstanding that the replacement policies may duplicate medicare benefits; to the Committee on Finance.

MEDICARE ANTI-DUPPLICATION AMENDMENT

Mr. D'AMATO. Mr. President, I rise today to introduce S. 2551, the Medicare anti-duplication bill. This important reform legislation is a necessary step in improving the rights and choices that face New Yorkers. This amendment will in fact correct the language of title XVIII of the Social Security Act to correct an unintended consequence of the Federal Medicare anti-duplication law and permits disabled persons to take full advantage of the full range of choices in the health insurance market that are currently available for other New York State citizens. The very narrow legislative change I am proposing will allow several hundred chronically ill New York residents to choose from a variety of health care plans which offer identical health care coverage at lower prices.

In 1995, New York enacted a "Point of Service" law requiring all HMO's in the state to offer standardized health care benefits to any individual who purchases coverage directly from the plan. However, some individuals that the New York law was intended to help were unable to purchase this coverage.

The Federal Medicare anti-duplication statute prohibits insurers from selling coverage, other than Medicare supplement coverage, which duplicate benefits available under Medicare. In New York, individuals who were receiving Medicare benefits due to disabilities, were permitted to elect continued coverage of private insurance which were purchased prior to enrolling in Medicare. Prior to 1996 these individuals' choices were limited, and were essentially forced to continue their very expensive Commercial policies. After the "Point of Service" law was enacted, there were numerous policies available which provided identical benefits to the Empire policy, at more affordable prices.

Those disabled Medicare subscribers enrolled in the Empire policy, however, were prohibited from purchasing these other less expensive policies as a result of the Federal anti-duplication law because the time to elect to continue private coverage had expired. These Disabled individuals numbering between 400–500, were left with essentially one choice, continuing a very expensive commercial policy.

My anti-duplication amendment will ensure that the disabled New Yorker enrolled in medicare is available to afford a managed care product, and that these purchases will not be considered a "duplicate" of Medicare health benefits. My bill has been drafted specifically to help those several hundred chronically sick individuals in New

York, who, prior to 1996, did not have the choice to select one of the many policies which were subsequently required by State Law.

ADDITIONAL COSPONSORS

S. 1286

At the request of Mr. JEFFORDS, the name of the Senator from Utah (Mr. HATCH) was added as a cosponsor of S. 1286, a bill to amend the Internal Revenue Code of 1986 to exclude from gross income certain amounts received as scholarships by an individual under the National Health Corps Scholarship Program.

S. 1529

At the request of Mr. KENNEDY, the names of the Senator from Nebraska (Mr. KERREY) and the Senator from West Virginia (Mr. ROCKEFELLER) were added as cosponsors of S. 1529, a bill to enhance Federal enforcement of hate crimes, and for other purposes.

S. 1720

At the request of Mr. LEAHY, the name of the Senator from Nebraska (Mr. KERREY) was added as a cosponsor of S. 1720, a bill to amend title 17, United States Code, to reform the copyright law with respect to satellite retransmissions of broadcast signals, and for other purposes.

S. 1868

At the request of Mr. NICKLES, the name of the Senator from Kentucky (Mr. MCCONNELL) was added as a cosponsor of S. 1868, a bill to express United States foreign policy with respect to, and to strengthen United States advocacy on behalf of, individuals persecuted for their faith worldwide; to authorize United States actions in response to religious persecution worldwide; to establish an Ambassador at Large on International Religious Freedom within the Department of State, a Commission on International Religious Persecution, and a Special Adviser on International Religious Freedom within the National Security Council; and for other purposes.

S. 2180

At the request of Mr. LOTT, the name of the Senator from Maine (Ms. SNOWE) was added as a cosponsor of S. 2180, a bill to amend the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 to clarify liability under that Act for certain recycling transactions.

S. 2196

At the request of Mr. GORTON, the name of the Senator from Virginia (Mr. ROBB) was added as a cosponsor of S. 2196, a bill to amend the Public Health Service Act to provide for establishment at the National Heart, Lung, and Blood Institute of a program regarding lifesaving interventions for individuals who experience cardiac arrest, and for other purposes.